

CHAPTER NO. 678

HOUSE BILL NO. 2116

By Representatives Buck, Cooper, Bowers

Substituted for: Senate Bill No. 2055

By Senator Crutchfield

AN ACT to amend Tennessee Code Annotated, Title 50, Chapter 6 and Title 56, Chapter 7, relative to the payment of certain medical expenses.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 50-6-225, is amended by adding the following as a new subsection:

() If an employee receives a settlement, judgment or decree under this chapter which includes the payment of medical expenses and the employer or workers compensation carrier wrongfully fails to reimburse an employee for any medical expenses actually paid by the employee within sixty (60) days of such settlement, judgment or decree, or fails to provide reasonable and necessary medical expenses and treatment, including failure to reimburse for reasonable and necessary medical expenses, in bad faith after receiving reasonable notice of their obligation to provide such medical treatment, the employer or workers compensation carrier shall be liable, in the discretion of the court, to pay the employee, in addition to the amount due for medical expenses paid, a sum not exceeding twenty-five percent (25%) of such expenses; provided, that it is made to appear to the court that the refusal to pay such claim was not in good faith and that such failure to pay inflicted additional expense, loss or injury upon the employee.


SECTION 2. This act shall take effect July 1, 2000, the public welfare requiring it.

PASSED: April 10, 2000


JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES


JOHN S. WILDER
SPEAKER OF THE SENATE

APPROVED this 25th day of April 2000


DON SUNDQUIST, GOVERNOR